

REMARKS

Claims 24-32 and 37-39 are pending in this application. Applicants have not amended the claims with this response and therefore have not provided a listing of the claims in accordance with 37 C.F.R. § 1.121 (c).

Favorable consideration and allowance are respectfully requested.

I. **Claim Rejections Under 35 U.S.C. §103**

A. **Claims 24-26, 27, 29 and 37-39**

Claims 24-26, 27, 29 and 37-39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Vardi et al. (U.S. 2001/0003161) in view of Colgan et al. (U.S. 2003/0040789).

Applicants respectfully traverse the rejection based on Vardi et al. in view of Colgan et al. Applicants respectfully request reconsideration of the rejected claims in light of the traversals discussed below.

Applicants' claim 24 requires that the second wire guide and second introducer are advanceable independent of the first introducer. The second introducer is advanced over the second wire guide from the working channel to the main lumen and second branch lumen independent of the first introducer. Applicants' claim 26 requires advancing a second wire guide external to and independent of the first stent. In addition, claims 24 and 26 further require that the first and second introducers are in a staggered adjacent configuration in a working channel of an endoscope.

Vardi et al. is directed to a dual lumen catheter. The method of Vardi et al. includes advancing a second guidewire through the side sheath received in the second lumen of the dual lumen catheter and out **through** the side opening in the primary stent. (Abstract, emphasis added.) The Examiner cites to FIG. 5 of Vardi et al. However, according to Vardi et al, "As shown in FIG. 5, after distal end 16 of side sheath 14 is positioned as shown, a second guidewire 31 can then be advanced out of distal end 16 of the side sheath 14, passing **through** side opening 27 in stent 25." (Paragraph 0035, see also Paragraph 0020, emphasis added.) The opening 27 in the stent 25 is specifically positioned at the ostium of the branch vessel to direct the second guidewire to the branch

vessel. (Abstract.) Clearly, Vardi et al. fails to teach or suggest a second wire guide that is advanced independent of the first stent. Further, Vardi et al. fails to teach or suggest a second wire guide that is advanced external to the first stent. In addition, Vardi et al. discloses a dual lumen catheter 12 and a side sheath 14, wherein side sheath 14 is slidably received within lumen 15 of the catheter 12. (Paragraph 0028.) In other words, the second sheath or catheter 14 of Vardi et al. is advanced in cooperation with the first catheter 12 by being received through the second lumen of the dual lumen catheter 12 and not independent of the catheter 12. (See Paragraph 0010.) Clearly, Vardi et al. fails to teach or suggest that the second introducer is advanced over the second wire guide from the working channel to the main lumen and second branch lumen independent of the first introducer as required by claim 24. Vardi et al. also fails to teach or suggest advancing a second wire guide external to and independent of the first stent as required by claim 26. In addition, as acknowledged by the Examiner, Vardi et al. fails to teach or suggest that the first and second introducers are in a staggered, adjacent, configuration in a working channel of an endoscope. (Page 4, August 13, 2009, Office Action.)

Colgan et al. has been cited for placing an introducer retaining a stent in a working channel of an endoscope. As discussed in the response dated September 15, 2008, Colgan et al. is directed to a **single catheter** having a **single stent** mounted at the distal end. Colgan et al. is directed to modifying the stent design to reduce the constrained diameter of the single stent. (Paragraphs 0006 and 0007.) Colgan et al. does not teach or suggest a first AND a second introducer and therefore cannot teach that the second wire guide and second introducer are advanceable independent of the first introducer. Colgan et al. further fails to teach or suggest that the first and second introducers are in a staggered, adjacent, configuration in a working channel of an endoscope. Colgan et al. cannot make up the deficiencies of Vardi et al. Clearly, Colgan et al. and Vardi et al., together and individually, fail to teach or suggest advancing the second wire guide and second introducer independent of the first introducer from the working channel to the main lumen and second branch lumen. Colgan et al. and Vardi et al., together and individually, further fail to teach or suggest the second wire guide and second introducer are

advanceable independent of the first introducer or that the first and second introducers are in a staggered, adjacent, configuration in a working channel of an endoscope.

Thus, Applicants respectfully request the rejection of claims 24-26, 27, 29 and 37-39 under 35 U.S.C. §103(a) be withdrawn.

B. Claims 28 and 30-32

Claims 28 and 30-32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Vardi et al. in view of Colgan et al. and Shaknovich (U.S. 5,669,924).

Applicants respectfully traverse the rejection based on Vardi et al., Cogan et al. and Shaknovich. Applicants respectfully request favorable reconsideration of the rejected claims in light of the traversals.

According to the Examiner, Vardi et al. and Colgan et al. fail to teach the step of simultaneously deploying the first and second stents within the bifurcation such that at least a portion of the first stent is in a side-by-side configuration with at least a portion of the proximal portion of the second stent within the main lumen. Shaknovich has been cited for simultaneous deployment of the stents in a side-by-side configuration.

Shaknovich is directed to a Y-shuttle stent delivery system. Shaknovich has been discussed in detail in the Amendment dated September 15, 2008 and fails to make up the deficiencies of Vardi et al. and Colgan et al. Shaknovich fails to teach or suggest first and second introducers disposed in a staggered, adjacent configuration in a working channel of an endoscope. Further, the combination of Vardi et al. and Shaknovich et al. is improper because the references teach away from each other. The prior art must be considered in its entirety, and the proposed modification cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of a reference (M.P.E.P. §2143.01). Combining the sequential stent delivery of Vardi et al. with the simultaneous stent delivery in the prior art discussion of Shaknovich would render Vardi et al. unsatisfactory for its intended purpose and would change the operation which is improper. Vardi et al. discloses delivering a first stent and providing an opening in the expanded first stent to be used for directing the delivery of the second stent to the proper position in the branch lumen. Simultaneous delivery of the first and second stent as taught in the prior art of Shaknovich makes it impossible to direct the delivery of the second stent through an

opening of the first stent since the stents are delivered at the same time. Thus, Shaknovich fails to make up the deficiencies of Vardi et al. and Colgan et al. and Shaknovich is improperly combined with Vardi et al.

In contrast, claims 26 and 30 require that the first and second introducers are in a staggered, adjacent configuration in an endoscope. Claim 28 depends from claim 26.

None of the references cited by the Examiner, together or individually teach or suggest placing the first and second introducers in a staggered, adjacent configuration in a working channel of an endoscope.

Applicants respectfully request the rejection of claims 28 and 30-32 under 35 U.S.C. §103(a) be withdrawn.


II. SUMMARY

Having carefully addressed the Examiner's rejections, Applicants respectfully assert that the application is in condition for allowance. Allowance of the present claims is earnestly solicited.

Should the Examiner wish to discuss any of the above submissions in more detail, the Examiner is asked to please call the undersigned at the telephone number listed below.

Respectfully submitted,

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